



March 2, 2020

Mr. Decovan Rhem, President  
Communications Workers Local 9415  
1831 Park Blvd.  
Oakland, CA 94606

Case Number: 530-6017721 [REDACTED]  
LM Number: 038053

Dear Mr. Rhem:

This office has recently completed an audit of Communications Workers Local 9415 under the Compliance Audit Program (CAP) to determine your organization's compliance with the provisions of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA). As discussed during the exit interview with you and Secretary Treasurer Jason Montgomery on March 2, 2020, the following problems were disclosed during the CAP. The matters listed below are not an exhaustive list of all possible problem areas since the audit conducted was limited in scope.

#### Recordkeeping Violations

Title II of the LMRDA establishes certain reporting and recordkeeping requirements. Section 206 requires, among other things, that labor organizations maintain adequate records for at least five years by which each receipt and disbursement of funds, as well as all account balances, can be verified, explained, and clarified. As a general rule, labor organizations must maintain all records used or received in the course of union business.

For disbursements, this includes not only original bills, invoices, receipts, vouchers, and applicable resolutions, but also documentation showing the nature of the union business requiring the disbursement, the goods or services received, and the identity of the recipient(s) of the goods or services. In most instances, this documentation requirement can be satisfied with a sufficiently descriptive expense receipt or invoice. If an expense receipt is not sufficiently descriptive, a union officer or employee should write a note on it providing the additional information. For money it receives, the labor organization must keep at least one record showing the date, amount, purpose, and source of that money. The labor organization must also retain bank records for all accounts.

The audit of Local 9415's 2019 records revealed the following recordkeeping violations:

#### Lack of Salary Authorization

The audit revealed that the union's records did not contain salary authorizations for executive board officers to show that salaries and other compensation were authorized and accurately

reported in Schedule 11 (All Officers and Disbursements to Officers) of the LM-2. The union must keep a record, such as meeting minutes, to show the current salary authorized by the entity or individual in the union with the authority to establish salaries.

Based on your assurance that Local 9415 will obtain membership authorization for executive board salaries and retain adequate documentation in the future, OLMS will take no further enforcement action at this time regarding the above violations.

#### Reporting Violations

The audit disclosed a violation of LMRDA Section 201(b), which requires labor organizations to file annual financial reports accurately disclosing their financial condition and operations. The Labor Organization Annual Report Form LM-2 filed by Local 1225 for the fiscal year ended December 31, 2018, was deficient in the following areas:

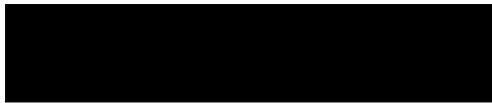
##### Failure to File Bylaws

The audit disclosed a violation of LMRDA Section 201(a), which requires that a union submit a copy of its revised constitution and bylaws with its LM report when it makes changes to its constitution or bylaws. Local 1225 amended its constitution and bylaws in December 2015, but did not file a copy with its LM report for that year.

Local 9415 has now filed a copy of its constitution and bylaws.

I want to extend my personal appreciation to Communications Workers Local 9415 for the cooperation and courtesy extended during this compliance audit. I strongly recommend that you make sure this letter and the compliance assistance materials provided to you are passed on to future officers. If we can provide any additional assistance, please do not hesitate to call.

Sincerely,



Investigator

cc: Mr. Jason Montgomery, Secretary Treasurer